

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING, ROOM 113
THURSDAY, JUNE 23, 2005
8:30 A.M.**

Commissioners Present: Larry Hudkins, Chair
Deb Schorr, Vice Chair
Bernie Heier
Bob Workman

Commissioners Absent: Ray Stevens

Others Present: Gwen Thorpe, Deputy Chief Administrative Officer
Kristy Mundt, Deputy County Attorney
Trish Owen, Chief Deputy County Clerk
Ann Taylor, County Clerk's Office

The Chair opened the meeting at 8:34 a.m.

AGENDA ITEM

**1 APPROVAL OF THE STAFF MEETING MINUTES OF THURSDAY,
JUNE 16, 2005**

MOTION: Schorr moved and Heier seconded approval of the Staff Meeting minutes dated June 16, 2005. Schorr, Workman and Hudkins voted aye. Heier abstained from voting. Motion carried.

2 ADDITIONS TO THE AGENDA

- A. Invitations to the Board
- B. Printing Bid
- C. Chamber of Commerce Luncheon
- D. Letter from Mary Roseberry-Brown Regarding the Salt Creek Floodplain Segment of the South Beltway (Exhibit A)

MOTION: Heier moved and Workman seconded approval of the additions to the agenda. Heier, Workman, Schorr and Hudkins voted aye. Motion carried.

**3 BUDGET WORK SESSION AND EXECUTIVE SESSION FOR
PENDING LITIGATION - Dave Kroeker, Budget and Fiscal Officer; Mike
Thew, Chief Deputy County Attorney**

MOTION: Schorr moved and Heier seconded to enter Executive Session at 8:35 a.m. for discussion of pending litigation. Heier, Schorr, Workman and Hudkins voted aye. Motion carried.

MOTION: Heier moved and Workman seconded to exit Executive Session at 9:25 a.m. Heier, Workman, Schorr and Hudkins voted aye. Motion carried.

ADDITIONS TO THE AGENDA

A. Invitations to the Board

Hudkins asked Thew whether there is a mechanism to reimburse elected officials for fees paid for events at which they represent the County.

Thew said it depends on the nature of the event and recommended that the Board request a legal opinion and an opinion from the Nebraska Accountability and Disclosure Commission.

Hudkins said it is his understanding that the City Council has such a mechanism.

Gwen Thorpe, Deputy Chief Administrative Officer, said she will contact their office for information.

MOTION: Heier moved and Workman seconded to drop the item from the agenda. Heier, Workman, Schorr and Hudkins voted aye. Motion carried.

- 4 A) COUNTY SPECIAL PLAT NO. 05026, WIRELESS COMMUNICATION FACILITY AT 68TH AND OLIVE CREEK ROAD; AND B) STREET NAME CHANGE NO. 05005, WILDFLOWER LANE TO PRAIRIE FLOWER LANE - Mike DeKalb, Planning Department**

A) County Special Permit No. 05026

Mike DeKalb, Planning Department, gave an overview of County Special Permit No. 05026, a request from Nextel Partners to allow a 349' tower for wireless facilities, including a waiver of the fall zone, on property located northeast of the intersection of South 68th Street and Olive Creek Road (Exhibit B). Planning Staff and the Planning Commission have recommended conditional approval. He noted that the County Sheriff and Emergency Management have had discussions with the applicant and the applicant has indicated a willingness to accommodate Emergency Services on the tower.

B) Street Name Change No. 05005

DeKalb gave an overview of Street Name Change No. 05005, a request to change the name of the main public street in The Preserve at Cross Creek (South 68th Street and Roca Road) from "Wildflower Lane" to "Prairie Flower Lane" (Exhibit C). He said the intent is to eliminate confusion with Wildflower Street and Wildflower Court which are in an existing subdivision in the same address range. The Street Name Committee has reviewed the request and recommends approval.

ADDITIONS TO THE AGENDA

B. Printing Bid

Cori Beattie, County Board Administrative Secretary, appeared and presented a bid from A to Z Printing for printing of letterhead, envelopes, notecards and business cards for the County Board of Commissioners (Exhibit D).

MOTION: Schorr moved and Workman seconded to 1) Use gold foil on the letterhead and business cards; 2) Use gold ink on the notecards; 3) Eliminate the seal on the envelopes and increase the font size.

Workman also asked that his title be printed directly underneath his name on his business cards.

ROLL CALL: Schorr, Workman, Heier and Hudkins voted aye. Motion carried.

C. Chamber of Commerce Luncheon

See Item 2A.

D. Letter from Mary Roseberry-Brown Regarding the Salt Creek Floodplain Segment of the South Beltway (Exhibit A)

Schorr will respond to the letter on behalf of the Board.

5 NATIONAL DRUG ASSISTANCE PROGRAM AT THE COMMUNITY MENTAL HEALTH CENTER (CMHC) - Dean Settle, Community Mental Health Center (CHMC) Director

Dean Settle, Community Mental Health Center (CMHC) Director, said he has hired two new nurses and said they have been trained by the Lancaster County Medical Society to do direct input into the database that determines eligibility for the national drug assistance programs.

Settle said CMHC has 260 clients on patient assistance programs and 63 receiving medication support from the Lincoln Regional Center through LB 95 for a total savings of approximately \$1.7 million. He said 34 clients are on General Assistance (GA). Settle estimated that 520 individuals accessing Medical Services within a year will be eligible for the patient assistance programs.

Heier requested a breakdown of financial responsibility from the time of commitment.

Settle said approximately 60% are state behavioral health dollars, administered through Region V: 20% are county funds (primarily in support of the Crisis Center); and 20% are sliding fee scales, private insurance and Medicaid and Medicare dollars.

Schorr asked that Wendy Andorf, CMHC, remain on the General Assistance (GA) Monitoring Committee.

Settle suggested that one of the new nurses also be added to the committee.

6 GENERAL ASSISTANCE (GA) BUDGET - Gary Chalupa, Veterans Service Officer/General Assistance (GA) Director, Dave Kroeker, Budget & Fiscal Officer; Kathy Cook, Lincoln-Lancaster County Health Department Information & Fiscal Operations Manager

Gary Chalupa, Veterans Service Officer/General Assistance (GA) Director, gave an overview of the budget, stating that it is based on last year's expenses. He said he anticipates a significant decrease in Pharmacy (Object No. 065160), due to a tightening of eligibility criteria and the national drug assistance programs. **NOTE:** The documents discussed are in Lancaster County, Nebraska; Proposed Budget FY06 (a copy is in the County Clerk's Office).

Kroeker said the billing clerk is still in the Lincoln-Lancaster County Health Department's budget.

Kathy Cook, Lincoln-Lancaster County Health Department Information & Fiscal Operations Manager, recommended that it remain there until the end of the year.

In response to a question from Schorr, Cook agreed to check what is coded to Medical Services (Object No. 65110).

Kroeker recommended that the Board add \$500,000 to the budget to catch up with unpaid bills. He also indicated that \$20,000 needs to be added to the contract with the Lancaster County Medical Society.

Schorr said Gage County has instituted drug testing for GA clients and suggested that Lancaster County move in that direction.

MOTION: Schorr moved and Workman seconded to begin the process of changing the General Assistance (GA) guidelines to include drug testing at the time of application and random drug testing of those receiving benefits. Heier, Workman, Schorr and Hudkins voted aye. Motion carried.

RETURNING TO ITEM 3

Kit Boesch, Human Services Administrator, appeared and gave an overview of funding of Juvenile Diversion Services (Exhibits E & F). It was noted that the City's funding has remained level.

Heier said 90% of the kids come from Lincoln and suggested that the Board ask the City to "step up to the plate" and increase their level of funding.

The Board directed Kroecker to show the total cost of the program on the budget sheet and what portions the City and County pay.

ADDITIONS TO THE AGENDA

E. Deed of Reconveyance for Owen L. and Rebecca J. Henderson

MOTION: Workman moved and Heier seconded to declare the item an emergency item and to add it to the agenda. Schorr, Workman, Heier and Hudkins voted aye. Motion carried.

Kristy Mundt, Deputy County Attorney, said the Henderson's received an economic development loan for a veterinary clinic in 1992 (Exhibit G). The loan was paid off in 2003, but the County failed to release the deed. She said the couple is closing on property on Friday, June 24th and needs to clear the title.

Hudkins asked why Troy Gagner, Economic Development Coordinator, failed to bring it before the Board at the time the loan was paid.

MOTION: Heier moved and Hudkins seconded to: 1) Authorize the Chair to sign the Deed of Reconveyance; and 2) Send a letter to Troy Gagner, Economic Development Coordinator, indicating that these matters need to come before the Board on a more timely basis.

FRIENDLY AMENDMENT: Schorr offered a friendly amendment to authorize the Chair to phone Troy Gagner, Economic Development Coordinator, instead and relay the Board's concerns.

The maker of the motion and the seconded accepted the friendly amendment.

ROLL CALL: Schorr, Heier, Workman and Hudkins voted aye. Motion carried.

7 A) UNITED HEALTHCARE SUMMARY PLAN BOOKLETS; AND B) PAYFLEX - Tom Fox, Deputy County Attorney; Bill Kostner, City Risk Manager; Don Taute, Personnel Director

A) United Healthcare Summary Plan Booklets

Tom Fox, Deputy County Attorney, requested authorization to have new United Healthcare Summary Plan Booklets printed. He said United Healthcare will pay for the printing.

MOTION: Schorr moved and Workman seconded to authorize printing of new summary plan booklets. Schorr, Heier, Workman and Hudkins voted aye. Motion carried.

B) PayFlex

Fox said the Lancaster County Flexible Spending Account Plan, which is administered by PayFlex Systems USA, Inc., needs to be amended to comply with the Working Families Tax Relief Act of 2004.

Workman said the Nebraska Association of County Officials (NACO) has moved away from PayFlex, due to the high cost, and now contracts with First Concord Benefits Group, LLC, a local company. He said NACO is willing to pay half of Lancaster County's per employee cost if the County goes with First Concord.

Hudkins expressed concern that PayFlex has refused to pay a number of claims.

Bill Kostner, City Risk Manager, said Internal Revenue Service (IRS) Guidelines require PayFlex to ask for a receipt if the requested amount does not match the plan's co-pay amount. He said Blue Cross/Blue Shield, Lancaster County's new health insurance provider, has indicated that PayFlex is a participating provider and said they can work together to speed payments and reduce the requests for receipts (Exhibit H).

Don Taute, Personnel Director, noted that the County also has a contract with PayFlex for Combined Omnibus Budget Reconciliation Act (COBRA) administration. He indicated plans to hire an assistant for Bill Thoreson, Benefits Specialist, and said that work will then be done in-house.

Kostner said First Concord does not offer a Flex Debit Card at this time and said that could affect employee participation in the plan.

Board consensus was to remain with PayFlex for the time being.

8 LABOR NEGOTIATIONS

MOTION: Schorr moved and Heier seconded to enter Executive Session at 11:18 a.m. for discussion of labor negotiations. Heier, Workman, Schorr and Hudkins voted aye. Motion carried.

MOTION: Schorr moved and Heier seconded to exit Executive Session at 11:55 a.m. Schorr, Heier, Workman and Hudkins voted aye. Motion carried.

9 A) FAMILIES FIRST & FOREMOST (F³) TRANSITION; AND B) RECONSIDERATION OF DENIED CLAIM - Renee' Dozier, Families First & Foremost (F³) Director

A) Families First & Foremost (F³) Transition

Thorpe noted that the federal government denied the County's request to spend down the remaining Substance Abuse and Mental Health Services Administration (SAMHSA) Grant funds through the end of the calendar year. She said suggested that the County enter into independent contracts with Renee' Dozier, Families First & Foremost (F³) Director, and Jessica Pendleton, C.P.A., to close-out grant activities and complete the final comprehensive report (Exhibit I).

Kristy Mundt, Deputy County Attorney, said contracts with the Interfaith Council, Asian Cultural and Community Center and Hispanic Center to close-out their families by August 31, 2005 and a supervision contract with Family Services will be scheduled on a Board of Commissioners Meeting agenda. She said the County will have until November 30, 2005 to complete a final accounting of funds and determine how much will be returned to the federal government.

Dozier estimated that there will be \$200,000 remaining, as of July 1, 2005 (Exhibit J).

The Board discussed proposals from Dozier and Pendleton (Exhibits K & L), with consensus to waive the insurance requirements and to limit compensation for Pendleton to \$12,000.

Hudkins and Schorr suggested that an attempt be made to spend down the grant funds through improvements to Trabert Hall, where F³ is housed; equipment or vehicle purchases or a community celebration.

Heier said he supports using the funds to benefit the community.

Workman said he believes the funds should be sent back.

B) Reconsideration of Denied Claim

Dozier requested reconsideration of a claim for payment voucher, dated April 5, 2005, payable to Hy-Vee Food Stores, Inc. in the amount of \$108.85, for a cake and floral products purchased for a farewell reception for Sheryl Schrepf.

Thorpe noted that similar claims submitted by F³ have been paid in the past.

Board consensus was to schedule reconsideration of the claim on the Tuesday, June 28, 2005 Board of Commissioners Meeting agenda.

10 ACTION ITEMS

A. Lancaster County Prescription Discount Card Design

Hudkins asked Thorpe to prepare a press release and to schedule an interview with Commissioner Workman on the *County Connections* program on 5-City TV.

B. Postage Meter for Families First & Foremost (F³) (Approximate Cost \$2,500) (Exhibit M)

Hudkins noted that County Extension is eliminating a postage machine and suggested that the County explore whether F³ could purchase the machine.

MOTION: Schorr moved and Heier seconded to authorize Mary Sue Pepper, Families First & Foremost (F³), and Gwen Thorpe, Deputy Chief Administrative Officer, to investigate the purchase of a postage meter for Families First & Foremost's (F³'s) utilization, with up to \$2,500 in grant funds. Schorr, Workman, Heier and Hudkins voted aye. Motion carried.

11 ADMINISTRATIVE OFFICER REPORT

A. Commissioners' Calendars

Hudkins noted the lack of a quorum on Tuesday, July 26, 2005.

MOTION: Schorr moved and Hudkins seconded to move the 1:30 p.m. Board of Commissioners Meeting on Tuesday, July 26, 2005 to 1:30 p.m. on Thursday, July 28, 2005. Heier, Workman, Schorr and Hudkins voted aye. Motion carried.

B. County Board of Zoning Appeals Appointment

The Board scheduled appointment of Tom Thurber on the June 28, 2005 Board of Commissioners Meeting agenda.

C. 98th Street Update

Heier said calcium chloride has been applied to the road to control dust.

D. Request for Release of Attorney Opinion

Hudkins reported a request from Seward County for release of a County Attorney's opinion regarding funding of developmental disabilities.

MOTION: Workman moved and Heier seconded to allow the County Attorney's opinion to be released to Seward County. Workman, Heier, Schorr and Hudkins voted aye. Motion carried.

E. Update on Nebraska Association of County Officials (NACO) Lease for Mobile Command Center

Thorpe reported an interest rate of 3.4% for the seven-year lease.

12 DISCUSSION OF BOARD MEMBER MEETINGS

A. Monthly Meeting of Public Building Commission (PBC) Chair, Vice Chair and Mayor - Hudkins

Hudkins said discussion focused on the K Street Complex.

B. Public Building Commission (PBC) - Hudkins, Workman

Workman said a request to allow the Boy Scout Troop that recruits the most blood donations for the Community Blood Bank to fly their flag in front of the County-City Building winner was denied. They will be recognized at a Board of Commissioners Meeting instead.

C. Lincoln Independent Business Association (LIBA) Budget Monitoring Committee - Stevens

No report.

D. Community Mental Health Center Advisory Committee - Stevens

No report.

RETURNING TO ITEM 3

Dave Kroeker, Budget and Fiscal Officer, presented the following documents (Exhibit N):

- Lancaster County, Comparison FY06 to FY05 Expense Budget
- FY06 Budget, Adjustments to Agency Budgets
- Lancaster County, Request for Maintenance Agreements, 2005-2006 Budget
- General Fund Miscellaneous, General Government (612)
- FY06 Budget, Adjustments to Agency Budgets
- A memorandum from Vince Mejer, Purchasing Agent, regarding the FY2006 Purchasing Budget
- General Fund Miscellaneous, Health & Human Services (612)
- FY06 Budget, Adjustments to Agency Budgets
- Joint Budget Committee (JBC) Agency Recommendations, City/County
- County Share of City Budgets, Mayor's Recommended Budget 2005-06
- A request from for increase in personnel from Safety and Training

Board consensus was to include the additional part-time position in the budget.

- P.C. Requests for FY06
- Correspondence from Eric McMasters, Diversion Services, indicating he will be out of town on the date of the City-County Common Budget Hearings

The Board agreed to allow McMasters to submit budget supporting materials.

- Keno Fund, FY05 Proposed Keno Fund Budget

- Correspondence from Terry Genrich, Parks & Recreation Natural Resources Manager, regarding funding of four projects (Saline Wetlands, Pioneers Park Prairie Acquisition, Jamaica North Trail, and acquisition of land for Greenway along the South Beltway)

The Board asked that discussion be scheduled with Genrich on the June 30, 2005 Staff Meeting agenda.

- Information related to the request from County Court for additional paid parking spaces

The Board also asked that discussion of a case management system for the County Attorney and Public Defender's Offices be scheduled on the June 30, 2005 Staff Meeting agenda.

13 ADJOURNMENT

MOTION: Schorr moved and Workman seconded to adjourn the meeting at 12:45 p.m. Heier, Workman, Schorr and Hudkins voted aye. Motion carried.

Bruce Medcalf
Lancaster County Clerk